

**NOT FOR CITATION**

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

LARRY TOTTEN, et al.,

Plaintiffs,

v.

REMEDIATION CONSTTUCTORS,  
INC., d/b/a REMCON, INC.,

Defendant.

No. C 04-4327 PJH

**ORDER GRANTING SUPPLEMENTAL  
REQUEST FOR TOTAL JUDGMENT**

On May 20, 2005, the court granted plaintiffs' motion for default judgment, and ordered defendant to pay the amount of \$22,639.43 in unpaid fringe benefits and liquidated damages, and \$4,010.00 in attorneys' fees, plus costs of suit. The court also directed plaintiffs to submit a supplemental request for judgment following completion of the audit of defendant's books and records.

On August 31, 2005, plaintiffs submitted the supplemental request for total judgment, stating that defendant had not responded to the request for an audit, and that plaintiffs' counsel had been unable to reach defendant by telephone. Plaintiffs requested an additional \$2,953.75 in attorneys' fees, plus costs of suit in the amount of \$355.00. The court grants the request for the additional fees, and grants the request for costs in part. The request for compensation for \$17.00 for electronic research, and \$65.00 for messenger/delivery service

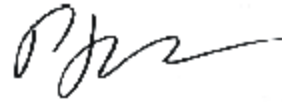
1 is denied, as those are not taxable costs under Civil Local Rule 54-3.

2 Accordingly, defendant shall pay to plaintiffs the amount of \$22,639.43 in unpaid fringe  
3 benefits and liquidated damages, the amount of \$6,963.75 in attorneys' fees, and  
4 \$273.00 in costs, for a total of \$29,876.18.

5 In addition, defendant is ordered to timely submit all required monthly contribution  
6 reports and contributions due and owing to plaintiffs.

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8 **IT IS SO ORDERED.**

9 Dated: September 16, 2005



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PHYLLIS J. HAMILTON  
United States District Judge